

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

IN RE EASTMAN KODAK ERISA
LITIGATION

MASTER FILE No. 6:12-CV-06051-DGL

THIS DOCUMENT RELATES TO:
ALL ACTIONS

**RULE 41 STIPULATION OF DISMISSAL OF
CLAUDE MATTE AND ANDREW MAUER**

All Plaintiffs in this action, together with Defendants The Eastman Kodak Savings and Investment Plan Committee, The Eastman Kodak Company Stock Ownership Plan Committee, Robert L. Berman, Joyce P. Haag, William G. Love, Antoinette P. McCorvey, Patricia A. Obstarczyk, Laura G. Quatela, Frank S. Sklarsky (collectively, the “Kodak Defendants”), and The Bank of New York Mellon (“BNY Mellon”), hereby file this Stipulation of Dismissal of all claims of Plaintiffs Claude Matte (“Matte”) and Andrew Mauer (“Mauer”) pursuant to Federal Rule of Civil Procedure 41(a)(1) of the Federal Rules of Civil Procedure, with each party to bear its own costs and attorneys’ fees. This Stipulation of Dismissal only applies to Plaintiffs Matte and Mauer (the “Dismissed Plaintiffs”); the remaining named plaintiffs in this case shall continue to prosecute this action on behalf of the proposed class. This Stipulation of Dismissal also shall not impact the Dismissed Plaintiffs’ ability to participate in any class that may be certified in this case. However, the Dismissed Plaintiffs hereby agree that: (1) they will not seek to serve as class representatives in this case; and (2) they will not initiate any other lawsuit against the Kodak Defendants or BNY Mellon that is based upon, or in any way related to, the allegations in the current action related to the Eastman Kodak Savings and Investment Plan’s or

the Eastman Kodak Company Stock Ownership Plan's investment in the Kodak Company Stock Fund.

Dated: November 3, 2015

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CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of November 2015, I electronically filed a copy of the foregoing with the Clerk of Court using the CM/ECF system which will send a notification to all counsel of record.

/s/ Mark P. Kindall